

Remarks/Arguments**Claim Rejections****5 1. Examiner:**

Claims 1-5 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory matter.

Response:

10 Claims 1-3 have been amended. The new limitations provided by the conversion system are fully supported on Page 9, line 1 - Page 10, line 16 and in Fig.7. No new matter has been introduced. Without disclaimer of any kind regarding their respective merits as originally filed,
15 claims 4-5 have been cancelled and are no longer in need of consideration.

A clean version of the amended claim 1 is listed here for convenience.

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1. A method for aiding quality control task management, the method comprising:

providing a computer system comprising a memory, a processor, and a display, the memory comprising a browser, a conversion system, and a template archive, the template archive comprising at least a template, each template having a hierarchical structure comprising:

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a top level for identifying the template;

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an intermediate level for identifying at least a sub-process of the template; and

a lower level comprising at least a template item

file for each sub-process, each template item file
comprising testing steps for performing a test
of an item;
wherein the top level is used to access the associated
5 sub-processes of the template, and each
sub-process is used to access the associated
template item files;
utilizing the browser to select a template from the
template archive, select a sub-process from the
10 template, and select a template item file from the
sub-process;
the conversion system accepting from the browser a
selection list comprising those items which have
been selected;
15 the conversion system copying the selected template item
files to create new test item files;
the conversion system creating a new test report file
for each selected sub-process, each new test report
file having a link to the associated newly created
20 test item file; and
the conversion system creating a new top level associated
with the newly-created test report files;
wherein the hierarchical structure of the new top
level, the new test report files, and the new test
25 item files conforms to the hierarchical
structure of the selection list.

The Applicant believes that claim 1 clearly is statutory
subject matter having a practical task management
30 application for effecting quality control. "It is an
advantage of the present invention that the template archive
acts as an information warehouse, storing complete test

plans rigorously built up over time. These comprehensive test plans can be quickly and conveniently accessed, and their relevant pieces selected and copied to create a new test plan. This speeds up the entire test plan design time, and helps to ensure that no required tests in a new test plan are forgotten or accidentally left out." (Page 2, line 32 - Page 3, line 7). Saving development time and aiding to ensure the completeness of the quality control test plan each result in a concrete practical application such as increasing throughput.

Therefore, the Applicant respectfully requests reconsideration of amended claim 1 and claims 2-3 dependent thereon.

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2. Examiner:

Claims 6-14 are rejected under 35 U.S.C. 112, first paragraph, as based upon a disclosure which is not enabling.

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Response:

Without disclaimer of any kind regarding their respective merits as originally filed, claims 6-14 have been cancelled and are no longer in need of consideration.

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3. Examiner:

Claims 1-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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Claim 1 is vague and indefinite because the preamble calls for "a method for generating a test plan for a quality control procedure" but there are no steps or limitations with respect to carrying out the "quality control procedure" in the body of the claim.

Response:

As previously detailed, claims 1-3 have been amended and claims 4-5 have been cancelled and are no longer in need of consideration.

The amended preamble of claim 1 calls for "A method for aiding quality control task management" and the stated limitations disclose a new and useful quality control management task for speeding the development of a quality control test plan while helping to ensure the completeness of the test plan.

Therefore, the Applicant respectfully requests reconsideration of amended claim 1 and claims 2-3 dependent thereon.

4. Examiner:

Claims 1-5, 6-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over POLLALIS et al. (US patent 5,016,170). As for the limitation on the user using the selection system and the conversion system, these are inherently included in the method of POLLALIS et al. as disclosed above in order to select a desired test plan by selecting the desired template, sub-process, and template item file. Alternatively, it would have been obvious to

select the desired test plan on a quality control issue because on col.11, line 25 POLLALIS et al discloses that this test plan can be used for quality control and other test functions.

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Response:

As previously detailed, claims 1-3 have been amended and claims 4-14 have been cancelled and are no longer in need of consideration.

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The Examiner refers to Fig.26 to illustrate a hierarchical matrix-balanced master schedule with corresponding templates and microtemplates at the lower levels (Col.9, lines 21-26). Fig.28 is a flow chart illustrating the generation of such a matrix balanced quantified bar chart (Col.3, lines 14-16).

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Fig.28 clearly indicates that Pollalis et al. teach constructing a matrix balanced chart by developing a sub unit (190) (such as shown in Fig.4), adding critical path considerations 192, developing a template for a complete unit 196, reallocating tasks 201, and arraying multiple units 203 resulting in a matrix balanced chart such as shown in Fig.5.

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It is important to note that critical path considerations and the relationships between levels are structured into each progressively higher level. Thus, even if, as suggested by the Examiner, the system of Pollalis et al. would inherently allow for short-cutting the constructive method taught in Fig.28 by generating a new template merely by

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selecting one of the levels of an old template, the newly generated template would inherently consist only of the selected level and all interconnected sublevels. Effectively, this "short-cut" is no more than making a duplication of the selected level having ties to all underlying levels.

The amended claim 1 comprises the limitations of "the conversion system accepting from the browser a selection list comprising those items which have been selected; the conversion system copying the selected template item files to create new test item files; the conversion system creating a new test report file for each selected sub-process, each new test report file having a link to the associated newly created test item file; and the conversion system creating a new top level associated with the newly-created test report files;".

Thus the new template is not a mere duplication of an old template, but a newly generated one having only the dependencies and sublevels according to the selection list obtained from the browser. As such, the newly generated test plan may be vastly different from any template in the template archive.

MPEP 2112 states "To establish inherency, the extrinsic evidence 'must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill'. Inherency, however, may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of

circumstances is not sufficient".

5 The Applicant is unable to locate any teachings or
suggestions that the methods of Pollalis et al. necessarily
include accepting a list of items from a browser, copying
the selected template item files, creating a new test report
file for each selected sub-process, and generating a new
top level having the selected items in the original
hierarchical order. As previously stated, saving
10 development time and aiding to ensure the completeness of
a quality control test plan each result in a concrete
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top level having the selected items in the original
hierarchical order. As previously stated, saving
10 development time and aiding to ensure the completeness of
a quality control test plan each result in a concrete
practical application such as improving throughput.

15 Therefore, the applicant believes that the present
invention as amended represents a new and useful aid to
task management not anticipated or suggested by the prior
art and respectfully requests reconsideration of the
amended claim 1 and claims 2-3 dependent thereon.

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Introduction of New Claims

5 Please amend the present application to include new
claims 15-20 as listed in the "Amendments to the Claims"
section beginning on page 2 of this response. No new material
has been introduced. Independent claim 15 points out and
distinctly claims a computer system not taught or suggested
by the prior art. As detailed above, the claimed conversion
system is one example of such a distinction. Therefore,
10 the Applicant respectfully requests consideration and swift
allowance of new claim 15 and claims 16-20 dependent thereon.

Sincerely,

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25 I will return your call promptly.)